

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/827,833	04/06/2001	Martin High	P05127US0

CONFIRMATION NO. 6356

22885  
ZARLEY MCKEE THOMTE VOORHEES & SEASE PLC  
SUITE 3200  
801 GRAND AVENUE  
DES MOINES, IA 50309-2721

## FORMALITIES LETTER



\*OC000000006138697\*

Date Mailed: 06/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

00/01/2001 090000041 09027033

01 FC:205 65.00 00

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned above a solid horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

SECTOR  
D



Attorney Docket: P05127US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: HIGH, et al.  
SERIAL NO: 09/827,833  
FILED: April 6, 2001  
TITLE: VARIABLE OPTICAL FILTER

GROUP ART NO:

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
ATTN: Box Missing Parts  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of an Application with filing date granted,  
enclosed please find the following documents:

- (1) Declaration Not Accompanying Application and Power of Attorney, dated July 24, 2001 by co-inventor Gary Ball;
- (2) Declaration Not Accompanying Application and Power of Attorney for deceased co-inventor Martin High, signed by legal representative Wilson High dated June 20, 2001, legal representative Eleanor Samson dated June 18, 2001, and legal representative Gale Ladd dated June 28, 2001;
- (3) Proof of authority of the legal representatives listed in paragraph (2) to sign on behalf of co-inventor Martin High;
- (4) \$65.00 surcharge fee;
- (5) A copy of the Notice to File Missing Parts of Application.

If any additional fees are needed, please charge Deposit Account No. 26-0084.

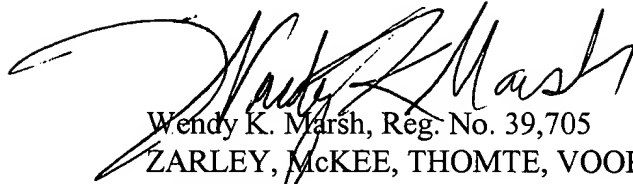
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CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this paper and the documents referred to as enclosed are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Trademarks, BOX MISSING PARTS, Washington, D.C. 20231, on this 27th day of July, 2001.

  
Wendy K. Marsh

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wendy K. Marsh". The signature is fluid and cursive, with a large initial "W" and "M".

Wendy K. Marsh, Reg. No. 39,705

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**CUSTOMER NO: 22885**

Attorneys of Record

- wm -